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C O N F I D E N T I A L SECTION 01 OF 03 RANGOON 000646

SIPDIS

DEPT FOR EAP/MLS, DRL, AND IO  
PACOM FOR FPA

E.O. 12958: DECL: 08/11/2018

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SUBJECT: OJEA QUINTANA TAKES BABY STEPS IN FIRST VISIT TO  
BURMA

REF: GENEVA 419

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Classified By: CDA Tom Vajda for Reasons 1.4 (b) & (d)

11. SUMMARY: (C) UN Special Rapporteur on Human Rights in Burma Tomas Ojea Quintana concluded his first visit to Burma August 7. Although he traveled to the Irrawaddy Delta, met privately with political prisoners of his own choosing, and had brief meetings with civil society and religious groups and some opposition forces including the Central Executive Committee (CEC) of the National League for Democracy (NLD), Ojea Quintana's itinerary and movements were tightly controlled by the GOB and he seemed reluctant to push the envelope on his first visit. In two meetings with the Diplomatic Corps, Ojea Quintana made clear this was a fact-finding trip and indicated he would propose specific actions for the regime to take at a later date. END SUMMARY.

12. (SBU) Ojea Quintana, who assumed his position May 1 with little background knowledge of Burma (reftel), arrived for his first visit to Rangoon Sunday, August 3. From the outset, his schedule was tightly controlled by the Ministry of Home Affairs and little was known about his itinerary in advance. He kicked off his program August 4 by meeting with the Cyclone Nargis Tripartite Core Group (consisting of the UN, ASEAN, and the regime). The following day (August 5) he traveled to Labutta in the Irrawaddy Delta to visit cyclone-affected villages. Upon his return from the delta, he met with political prisoners at Insein Prison. He then held the first of two briefings with the Diplomatic Corps and had a private meeting with the UN Country Team. On August 6 he held meetings with several political groups, including three members of the NLD Central Executive Committee (CEC, aka "the Uncles"), delegates from the National Unity Party and a group of 88-Generation Students' members; unspecified members of the national convention and referendum committee; and the government's human rights body. On August 7, he traveled to Nay Pyi Taw for meetings with the Ministers of Foreign Affairs, Home Affairs, and Labor.

PRISONER MEETING

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13. (C) A highlight of Ojea Quintana's visit was a meeting at Insein Prison with five prominent political prisoners: Win Tin, the 79 year-old journalist and Burma's longest serving political prisoner, who has been jailed since 1989; U Gambira, a prominent monk and an alleged leader of the September 2007 pro-democracy protests; Su Su Nwe, a prominent labor and human rights activist; and Kyaw Kyaw and Thurein Aung, both labor activists arrested in connection with a labor conference at the American Center in May 2007.

14. (C) In a briefing for the Diplomatic Corps, Ojea Quintana said he saw the prisoners in private for about 20 minutes each and also met with the prison director. With press cameras rolling and a number of Ministry of Foreign Affairs personnel in the room, he refrained from providing details on these or other meetings. Our UK counterparts said that when they managed to pull him aside after the briefing, Ojea Quintana acknowledged that he was exhausted and that he had had a "rough" visit to the prison. He confirmed that after some struggle he was able to meet privately with the five prisoners, who had all been of his choosing.

#### MEETING WITH UN STAFF

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15. (C) UN Acting Humanitarian Assistance Coordinator and UN Population Fund Country Representative Dan Baker reported that Ojea Quintana had managed to break away from his set schedule August 6 to visit the UNDP office and meet privately with the deputy International Labor Organization (ILO) representative. He also noted that Ojea Quintana's meeting with UN staff August 5 (following the diplomatic briefing) had been a private one with no microphones, allowing staff to

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be reasonably open. He said Ojea Quintana had been scheduled to visit Shan State but that the trip was canceled due to weather.

#### BRIEF VISIT WITH "THE UNCLES" AFTER A THREE HOUR WAIT

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16. (C) NLD Spokesman Nyan Win confirmed three members of the NLD's CEC (aka the "Uncles") met with Ojea Quintana for ten minutes on August 6. Nyan Win reported U Lwin, U Than Htun, and U Nyunt Wai briefed Ojea Quintana on the NLD's position regarding human rights, political prisoners, ASSK's house arrest and lack of access to her doctor and lawyer, and the illegitimacy of the May 2008 constitutional referendum. Nyan Win lamented that the Uncles could not engage in any substantive discussion with Ojea Quintana because regime authorities only allowed them ten minutes together. Party Chairman U Aung Shwe had been slightly ill and could not attend, Nyan Win reported.

17. (C) During a farewell call with the Charge, the Uncles referred to their three-hour wait to see Ojea Quintana as an "SPDC political-diplomatic snub," and noted that GOB officials had told the Uncles that they would have to meet with Ojea Quintana as part of a roundtable with the pro-regime National Unity Party, two splinter groups from the NLD, and 88 Generation Students. It had only been when Ojea Quintana asked whether the Uncles would prefer to meet with him separately that officials agreed to allow them ten minutes alone.

#### OUTBRIEF TO DIPLOMATIC CORPS

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18. (C) Ojea Quintana debriefed the Diplomatic Corps at the airport prior to his departure with several Ministry of Foreign Affairs and Special Branch police in the room, but no press. He noted his Ministry meetings in Nay Pyi Taw, as well as his meetings in Rangoon with the NLD and six other

political parties, unspecified members of the national convention and referendum committee, and the government's human rights body. He noted that his request to meet with ASSK had not been granted.

¶9. (C) In response to questions, Ojea Quintana noted that he did not raise any specific demands with the government, adding when pressed that he did not even call for the release of political prisoners. Instead, he had told the government he would present it with four "core elements" of human rights that would be necessary to "pave the road to the democratic elections in 2010." He did not say what those four elements would include beyond an indication that political prisoners would be addressed.

¶10. (C) Ojea Quintana said that political prisoner Thurein Aung had complained to him that he had been asking for dental care for over a year. Ojea Quintana had raised it with the prison director, and August 7 the regime passed Ojea Quintana photographs showing dentists providing care for Thurein Aung.

Ojea Quintana said the NLD reps told him they would not contest the 2010 elections, but the other six party reps said they might. (NOTE: During our August 8 meeting with the Uncles, they said they had been misunderstood and had not yet decided whether they would participate. END NOTE). Ojea Quintana would provide his report to the Human Rights Council and General Assembly in March, and had told the GOB he wanted to return at least once more before then.

COMMENT

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¶11. (C) This was Ojea Quintana's first visit to Burma (and Asia, as he admitted) in any capacity. As is typical of such visits, the Ministry of Home Affairs kept tight reins on Ojea Quintana, and it was nearly impossible to get information on

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his itinerary in advance. He reiterated throughout the visit that his goal was to learn about the situation in Burma, build contacts, and start a dialogue to improve the human rights situation in the country, and he reported to the Diplomatic Corps that he made some progress toward these limited goals. He also highlighted his private meetings with key political prisoners he had selected as an important step.

Still, Ojea Quintana's unwillingness to press the regime on even the most basic human right issues - such as the release of those political prisoners - likely stemmed not from admitted inexperience, but from his desire to avoid offending the regime and to ensure a return visit. Ojea Quintana did not impress many in the opposition (or us) with his cautious approach, and it remains to be seen whether he will be able to build credibility on any future visits by taking a much harder line, as his predecessor Paulo Sergio Pinheiro learned to do.

VAJDA